

Lincoln Planning Board

June 27, 2007

APPROVED

A meeting of the Planning Board was held on Wednesday, June 27, 2007, at the Town Hall, 100 Old River Road, Lincoln RI.

Chairman Mancini called the meeting to order at 7:04 p.m. The following members were present: Michael Reilly, Kenneth Bostic, Fred Ordonez, Gregery Mercurio, Gerald Olean, and John Mancini.

John Hunt was absent.

Also present were Town Planner Albert Ranaldi, Town Engineer N. Kim Wiegand, and Assistant Town Solicitor Joelle Sylvia. Candice Larson kept the minutes.

Chairman John Mancini advised that there were six members present, and that the Planning Board did have a quorum to continue the meeting.

There was a motion by Mr. Reilly, seconded by Mr. Mercurio, to amend the meeting agenda so that the review of Secretary Reports will be after the eighth item on the agenda.

The motion passed by unanimous vote.

CONSENT AGENDA

Mr. Ranaldi stated that there was a bond delegated to the Town Planner and also an administrative subdivision that was approved that were included in the packet provided to the Planning Board, but that were not placed on the agenda so they will appear on the next months' meeting agenda.

Mr. Mancini reminded the Planning Board that the consent agenda must be voted on as a whole agenda item, unless items are moved to be voted upon separately.

Mr. Mercurio made a motion to remove the matter regarding the church from the consent agenda to give the applicants a chance to discuss it if so desired

Mr. Reilly seconded the motion. The motion passed unanimously.

Mr. Olean made a motion to accept the consent agenda as amended, seconded by Mr. Mercurio. Mr. Mancini noted that it would include the administrative correspondence and setting of bonds. The motion passed unanimously.

Attorney John Shekarchi for the applicant was present. Mr. Shekarchi noted that the architect, the chairman of the building committee, and the priest who runs the church are all present to answer any questions, and the TRC has made a positive recommendation.

Mr. Thomas Tanury stated that his proposal shows that there was approximately 8 acres of land purchased on Twin River Rd. with a small house that will be intended to be used as a rectory. In conforming to all wetlands and zoning requirements, the intention is to place a church on the property.

Mr. Mercurio asked approximately how many church members would be attending services at one time. Mr. Tanury estimated that outside of holidays, there would be approximately 200 people maximum in church at once and there would be a 5:00 pm mass on Saturday and 8:00 am and 10:00 am mass on Sunday. The church would hold a maximum of approximately 300 people.

The building itself will be approximately 7,500 sq. ft. and the separate hall would be approximately 7,000 sq. ft.

Mr. Ranaldi noted that when the TRC went out to the site, there were approximately 9 acres that are heavily wooded except for one area that a neighbor is visible, where there will be an evergreen buffer. Otherwise, the site location does work well.

Mr. Mercurio made a motion to recommend approval of the TRC to the Zoning Board. Mr. Reilly seconded the motion. The motion passed unanimously.

MAJOR LAND DEVELOPMENT REVIEW

Jason M. Ruotolo

George Washington Hwy.

Discussion/Approval

Mr. Ranaldi noted that this is a major land development of a commercial building on approximately 1.24 acre lot. A single building commercial drive through is proposed for the single lot. The applicant has not secured a leaseholder. The building has been designed to accommodate the most intense kind of drive through activity, such as a donut shop or fast food restaurant due to the fact that it was required in their physical alteration permit because it is on a state road.

The Planning Board had until February 13, 2007 to make a decision, but the applicant has extended that. The TRC does recommend approval with conditions as follows:

-Final Approval by FAA, which should receive a positive recommendation.

-The Albion Fire Department should review the plan for fire, safety and rescue services, which should receive a positive recommendation.

-Final Approval from the Smithfield Water Supply Board and Lincoln Water Commission. The TRC is comfortable with the plan, but Smithfield does not give final approval until the work is completed.

-There was a question whether the UIC would need a RI DEM permit, so the applicant should look into this and confirm before coming for a

building permit.

Ms. Wiegand noted that she had spoken with the project engineer and DEM and whether it would not need an underground injection control, and the answer was no, if it is less than a certain amount. It has already received a DEM wetlands permit, and if it needed a UIC permit, it would have come up at that point.

Mr. Olean made a motion to accept the TRC report with conditions for discussion. The motion was seconded by Mr. Mercurio. The motion passed unanimously.

It was noted that this is not yet designated to the administrative officer for final approval.

MAJOR SUBDIVISION REVIEW

a. The Hills of Monticello Subdivision AP40 Lot 30 and 31

Public Informational Meeting 7:15 PM

**R.H. Jergensen Construction Co. Albion Rd. Master Plan
Discussion/Approval**

Mr. Ranaldi noted that this is a major land subdivision which is at master plan review stage. This is under the 2005 subdivision regulations, and it is a subdivision of 2 residential lots into 14 single family residential lots. All lots will be accessed from a proposed

roadway ending in a cul-de-sac, and there is another smaller cul-de-sac off of the main roadway.

The applicant received a Certificate of Completeness on May 14, 2007, and the Planning Board has until September 11, 2007 to make a decision on the master plan level. The applicant is before the board for a public informational meeting, and abutters within 200 feet of the property have been notified by mail.

There are some waivers that need to be considered and approved, including:

- The length of the roadway, which is 570 feet greater than is allowed in the RA-40 zone.

- There are a few lots that have a greater than a 2 ½ to 1 lot to width ratio.

The TRC reviewed these waivers, and found that if the subdivision were done on a standard 900 ft. roadway, there would be roughly 12 homes in a perfect situation, but the proposal is for a considerably longer cul-de-sac and 14 homes. The TRC does recommend that the public have a chance to speak before the applicant comes back for a master plan review to address any concerns.

The following abutters to the property were present:

Ronald G. & Cheryl Lefebvre of 313 Albion Rd.

Jergensen Construction Co. of 309 Albion Rd.

Frank Wing of 317 Albion Rd.

John A. Jr. & Sharon A. Zompa of 24 South Eagle Nest Dr.

Glen Jergensen of Jergensen Construction was present as the

applicant along with Pare Engineering. The parcel of land in question is off of Albion Rd., and is a total of 52 acres, abutted by open space owned by the Town of Lincoln. The current one homestead residence is a 2-acre parcel directly connecting to the abutter. The 50 acres is broken down after evaluation of the topography to minimize the excavation that would be needed. There would be 14 lots, and many of the lots are just over 1 acre. There are a significant ravine and wetlands towards the rear that would make it not in their best interest to develop it. The houses developed would be worth \$600,000 and up. They are working with the Town Engineer to alleviate some of the drainage issues, and want to keep the water runoff on the north side of Albion Rd.

Mr. Olean asked if Pare Engineering has seen the TRC report. On the map provided, in regards to lots 9 and 10, they have no issue extending the property line, and they will add 2 more waiver requests for the extension.

Mr. Mancini noted that the public could ask any questions that they might have.

Sharon Zompa of 24 South Eagle Nest Dr. asked how far the last lot that has the large portion of land extended. There are 2 pieces of land that may be negotiated to be part of the Town's open space that already exists abutting.

Mrs. Zompa asked about blasting that might occur to develop the

land.

Ms. Wiegand stated that under RI Laws, the State Fire Marshall regulates blasting permits, and the towns have no say. The Town usually asks as part of subdivision regulations that a pre-blast survey be completed, where the abutters within 200 ft. are notified and metered, and their houses would be structurally inspected and photographed. This isn't normally a requirement, but it will be asked as a condition.

Ron Lefebvre stated that he had concerns about Albion Rd. being an obsolete road, and the lack of stop signs to control the traffic.

Ms. Wiegand noted that because it is a state road, the town has no say regarding the signs but they can request, through the state's Traffic Safety Commission, signs for traffic safety. There may also be good cause because of the nature of the intersection.

Mr. Lefebvre also noted that he is supporting Jergensen Construction, but asked if Jergensen Construction sells the newly subdivided land, if they would keep the integrity of the land. Mr. Mancini noted that there are 3 stages to the development that helps with the land development issues that might come up.

Frank Wing of 317 Albion Rd. stated that he has a periodic water problem, and he hopes the state will address the issues. He also had blasting concerns that have been addressed.

Mike Picard of 3 Meadow Brook Rd. noted that his main concern was drainage because he has fallen subject to major flooding, and wanted to know how the runoff of the development of Albion Rd. would be handled as to not increase the problem.

The drainage will be approved at the preliminary level, and the drainage system will be one of the first things developed.

Mr. Mancini noted that the developer must not add to the water problem, if they do not improve it.

Mr. Jergensen noted that any water on the north side of Albion Rd. will be kept on that side of the road.

John Zompa Jr. of 24 South Eagle Nest Dr. noted that he has a concern for the deer in the area and asked if anyone has looked into how many will be displaced by the development.

It was noted that there is abutting open space that is owned by the town that they could move to.

Mr. Reilly noted that while the deer population is a concern, there really was nothing that the Planning Board could do to address it.

Mr. Jergensen stated that the construction will begin in the Spring of 2008.

The detention pond will be the responsibility of the owner of the lot it is on, and it will not be maintained by a Homeowner's Association.

Mr. Olean made a motion to close the public hearing, seconded by Mr. Mercurio. The motion passed unanimously.

Mr. Olean made a motion to accept the TRC recommendation to consider the development at the next month's Planning Board meeting. Mr. Mercurio seconded the motion. The motion passed unanimously.

b. Sables Road Subdivision AP 44 Lot 33 Preliminary Plan Extension

Leslie W. Sables Angell and Whipple Rd.

Mr. Ranaldi noted that this is a preliminary plan extension. They did come in under 2 phases, one being 9 single family residential lots on a new cul-de-sac, and two would be 8 single family residences along an existing roadway. The applicant is requesting a one-year extension until July 27, 2008 to complete the project. They have been working diligently with the Town Solicitor to craft the maintenance agreement of the detention and sewer and water easements. It is their first extension.

Mr. Olean made a motion to approve the extension, seconded by Mr. Reilly. The motion passed unanimously.

MINOR SUBDIVISION REVIEW

a. Morris Minor Subdivision

AP 41 Lots 10 and 11

Preliminary Plan

Matthew L. and Raymond E. Morris Albion Rd.

Discussion/Approval

Mr. Ranaldi noted that this is the subdivision of 2 residential lots into 3 residential lots. All lots are accessed from an existing road.

The applicant received a Certificate of Completeness on April 9, 2007. The applicant has submitted a granted extension until June 27th to make a preliminary plan review. The TRC reviewed the plans and recommends approval with conditions including:

- Granite bounds must be installed and shown on the final record plan marking the locations of all new property corners.**
- The sewer easement documents must be reviewed and approved by the Town Solicitor.**
- The applicant must receive a RI DOT physical alteration permit for the new driveway**
- The applicant must obtain a permit from the Narragansett Bay Commission for any sewer discharges.**

Mr. Olean made a motion, seconded by Mr. Reilly, to accept the TRC recommendation with conditions. The motion passed unanimously.

Mr. Olean made a motion to delegate final approval to the administrative officer, seconded by Mr. Reilly. The motion passed

unanimously.

b. Rosa Minor Subdivision	AP 16 Lot 10	Preliminary Plan
Lori A. Rosa	Westwood Rd.	Discussion/Approval

This subdivision is under the 2005 subdivision regulations, and is the division of one residential lot into 3 residential lots. The applicant received a Certificate of Completeness on June 7, 2007. The Planning Board has 65 days, or until August 11, 2007 to make a decision. There is no new street creation or extension, and all access will be from existing roadways. There appear to be no wetlands, but there may be an unused well that would have to be closed up. The utilities are existing and can accommodate the additional homes. The TRC recommends approval with conditions including:

- They must obtain a permit from the Narragansett Bay Commission for the sewer discharge from each new house**
- Granite bounds be shown at the corners of the new properties**
- Sedimentation and erosion control must be submitted and approved before construction or earth disturbance**

The key to the subdivision will be moving the existing house.

Mr. Olean asked who approves curb cutting. It would be the Town Engineer at the time of the building permit stage.

Mr. Olean made a motion accept the TRC report with conditions, seconded by Mr. Reilly. The motion passed unanimously.

Mr. Olean made a motion to delegate the final approval to the administrative officer, seconded by Mr. Reilly. The motion passed unanimously.

SECRETARY'S REPORT

Mr. Olean made a motion to dispense of the reading of the minutes of April 25, 2007, seconded by Mr. Reilly. The motion passed unanimously.

Mr. Olean made a motion to accept the minutes of April 25, 2007, seconded by Mr. Reilly. The motion passed unanimously.

Mr. Olean made a motion to dispense of the reading of the minutes of May 9, 2007 at 5:30 pm, seconded by Mr. Reilly. The motion passed unanimously.

Mr. Bostic made a motion to accept the minutes of May 9, 2007 at 5:30 pm, seconded by Mr. Reilly. The motion passed unanimously.

Mr. Olean made a motion to dispense of the reading of the minutes of May 9, 2007 at 7:00 pm, seconded by Mr. Reilly. The motion passed unanimously.

Mr. Bostic made a motion to accept the minutes of May 9, 2007 at 7:00 pm, seconded by Mr. Ordonez. The motion passed unanimously.

Mr. Olean made a motion to adjourn, seconded by Mr. Reilly.

The motion passed by unanimous vote.

The meeting adjourned at 8:30 p.m.

On June 19, 2007, at 2:30 pm, the Technical Review Committee met to review the agenda items for the June 27, 2007, meeting of the Planning Board. In attendance were Al Ranaldi, Kim Wiegand, Michael Reilly, Peggy Weigner, and John Faile. Below are the Committee's recommendations:

Major Land Development Review

a. Drive-Thru Establishment AP 41 Lot 69 Preliminary Plan Land Development

- Jason M. Ruotolo George Washington Hwy Discussion / Approval

This application is under the 2005 Subdivision Regulations and represents the commercial development of a single lot containing approximately 1.242 acres. The review stages were combined during the October Planning Board meeting. Therefore, this project is in front of the Planning Board for a Preliminary Plan Land Development Review. On October 16, 2006, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be

consented to by the applicant, approve the master plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the Preliminary Plan review must be made by February 13, 2007, or within such further time as may be consented to by the applicant. On January 24, 2007, the applicant asked for and received an extension to April 25, 2007, in order to receive comments and final approval from RIDEM. The applicant was prepared to attend the April meeting however; the Administrative Officer asked if they could attend the May meeting. The applicant requested in writing a one month extension in April so they could be heard during the May meeting.

The Technical Review Committee and the Engineering Division have reviewed the above proposed subdivision according to the 2005 Land Development and Subdivision Regulations preliminary plan requirements and standard engineering practices. The plans reviewed were entitled "Preliminary Plan Submission, Drive Thru Establishment, AP 41 Lot 69", Lincoln, Rhode Island, sheets 1-7, prepared for the applicant, Jason Ruotolo by Thalmann Engineering Co., Inc., dated September 2006. Also received were the following documents: Drainage Report & Calculations prepared for Jason Ruotolo by Thalmann Engineering Co., Inc. dated October 20, 2006 and Traffic Impact Study Route 116 Commercial Development prepared for Thalmann Engineering, Inc. by RAB Professional Engineers, Inc., dated October 2006. In addition, a report entitled "Drive Thru Establishment, George Washington Highway AP 41 Lot 69, Master Plan-Development Impact Narrative"; dated September

2006 had been reviewed prior to the preliminary submission. Below are the Technical Review Committee's comments.

Traffic/Road/Site

Access to the site is from a State Highway, Route 116, George Washington Highway. On December 21, 2006, this project received a Physical Alteration Permit (PAP) from RIDOT for access and site drainage for the project. A memo from RIDOT regarding the project was received December 12, 2006. This memo contained two comments relevant to the site plan. One comment addressed the adequacy of space for the stacking of vehicles queuing in the drive thru. The RIDOT requires minimum space for ten vehicles measured back from the order board. The other comment concerns the exit. According to the Traffic Impact Report, two exit lanes are recommended; one for turning left and one for turning right. The RIDOT memo specified limiting the exit to one lane. The engineer has shown accordingly, one exit lane with an island between it and the entrance lane. This would allow a left turn lane to be constructed in the future, should it be needed. This redesign was shown on the most recently revised plan set. It appears that the guard rail by the retaining wall at the access road should be extended further to where the grade differential is less than three feet. The applicant has submitted the project to FAA for their review. The TRC feels that this project will not likely interfere with the operations of the North Central Airport and therefore be likely to receive a positive recommendation from FAA. Final approval from FAA would be a condition of

preliminary plan approval. The TRC also recommends that the Albion Fire Department review the plans for fire and rescue service safety and submit a letter on their conclusions. The TRC recommends that receiving a positive letter from the Albion Fire District be a condition of preliminary plan approval.

Sanitary Sewers

The development is proposed to flow to the Narragansett Bay Commission (NBC) interceptor on Route 116. Approval from NBC will be required as a condition for preliminary approval.

Public Water Service

Public water service to this project will be supplied from the Smithfield Water Supply Board with review and approval from the Lincoln Water Commission. The applicant received conceptual approval from the Smithfield Water Supply Board on May 30, 2007. According to the Lincoln Water Superintendent, his office has been in contact with the Smithfield Water Supply Board regarding this project and feels comfortable with the progress. Final approval from the Smithfield Water Supply Board and Lincoln Water Commission will be a condition of preliminary plan approval.

Environmental/Drainage

The existing site drains mainly to wetlands on the property. The wetlands have been located in the field and verified by RIDEM. On

March 1, 2007, this project received a RIDEM Insignificant Alteration Permit to cross the wetlands. The plans show an underground detention system which will discharge into the wetlands. The drainage facilities are proposed to include mitigation of storm water flows for both rate of flow and volume. The underground system includes some infiltration of storm water from not only the roof but also pavement. The system design allows a minimum of one foot separation from the seasonal high groundwater elevation. While this design is the standard for a conventional detention basin, it does not meet the requirement for an underground injection control (UIC) system which requires a minimum three-foot separation. It is recommended that the developer receive an opinion from RIDEM as to whether this system requires a UIC permit. Location of any existing wells and/or septic systems within 200 feet of the property must be shown on the plan. Any onsite wells or septic systems will need to be properly closed and/or removed.

Based on the recent submission, the Technical Review Committee feels that the concerns noted above are minor in nature. Therefore, the TRC recommends that this application be Approved with Conditions. Below are the recommended conditions of approval.

- 1. Final approval from FAA.**
- 2. The Albion Fire Department reviews the plans for fire and rescue service safety and submits a positive letter on its conclusions.**
- 3. Final approval from the Smithfield Water Supply Board and Lincoln Water Commission.**

4. The developer receives an opinion from RIDEM as to whether this system requires a UIC permit. If a UIC permit is required, then the developer must obtain the permit as a condition of approval.

Major Subdivision Review

**a. The Hills of Monticello Subdivision AP 40 Lots 30 and 31 Public
Informational Meeting – 7:15 PM**

**- R.H. Jergensen Construction Co. Albion Road Master Plan
Discussion / Approval**

This application is under the 2005 Subdivision Regulations and represents the subdivision of two residential lots into fourteen single-family residential lots. All lots are accessed from a proposed roadway ending in a cul de sac. Another cul de sac is located off of the proposed main roadway. The subject project is located in zoning district RA-40 (40,000 square feet – Residential Single Family). On May 14, 2007, the project received a Certificate of Completeness. According to our Subdivision Regulations, the Planning Board shall, within one hundred twenty (120) days of certification of completeness, or within such further time as may be consented to by the applicant, approve the master plan as submitted, approve with changes and/or conditions, or deny the applicant, according to the requirements of Section 8. A decision on the master plan review must be made by September 11, 2007, or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division have

reviewed the above-proposed subdivision according to the 2005 Land Development and Subdivision Regulations master plan submission standards and requirements and standard engineering practices. This project is in front of the Planning Board for a public informational meeting. The submission includes a plan entitled “The Hills of Monticello, Albion Road”, AP 40, Lots 30 & 31, in Lincoln, Rhode Island, prepared for R.H. Jergensen Construction Co. by Pare Engineering Corp. dated April 2007. Also reviewed was a narrative document entitled Master Plan by the above engineer dated April 2007. Below are the TRC recommendations for this project.

Site Plan

The existing site has many challenges to development. It is a policy of the Public Works Department that all drainage facilities outside of the public right-of-way must be shown within easements on individually owned lots. All detention basins must be privately owned and accessible from a public right-of-way. A note regarding this should be included on the plans. The following site plan concerns need to be resolved.

- All drainage facilities outside of the public right of way must be shown within easements.**
- The buildable area for each lot has been determined; however it is not clear whether the easements for the drainage lines or basins have been included, since no easements are shown on the site plans.**
- Landscaped cul de sac centers are not acceptable.**
- The sidewalks need to be constructed on the short, western cul de**

sac.

Traffic

Albion Road is a State road. The access to the subdivision will require a Physical Alteration Permit from RIDOT.

Wetlands/Groundwater

The proposed subdivision will require a RIDEM Wetlands permit. A certified soil evaluator must determine the seasonal high ground water elevations at the locations associated with proposed detention basins and other critical areas on the property. The Town Engineer must witness the excavation of test pits. It is recommended that a condition of approval must be that no detention basins or house basements or finished floors are to be constructed into the elevation of the seasonal high ground water. The TRC has serious concerns regarding the extensive removal of earth and blasting of ledge in order to install the proposed roadway. The impact to the groundwater hydrology is likely to be critically impacted. The TRC would like to see how this is going to be mitigated.

Utilities

The plan shows public water and sewer connections to the proposed lots. Sewer availability must be sought from the Lincoln sewer supervisor. Gravity sewers are proposed. The flows from the development will also require approval from the Narragansett Bay Commission. The superintendent of the Lincoln Water Commission

(LWC) has communicated to the Town Engineer that public water service is available to this project. The water line is shown looped within the road right of way to meet the LWC requirements.

Drainage

Storm water runoff from Albion Road which currently flows down Meadowbrook Road is proposed to be collected and redirected to a lower reach of the stream on the north side of Albion Road. This is proposed as an off site improvement to alleviate existing drainage problems in the immediate area. It is not clear whether retention or detention basins are proposed, as no outlets from the ponds are shown. If no outlets are proposed then the basins must provide storage for the 100 year frequency storm and an emergency overflow spillway.

Waivers

The following waivers to the subdivision regulations are requested by the applicant.

- Length of cul de sac: it is 570 feet greater than allowed in the RA-40 zone.**
- 2 ½ to 1 lot length to width ratio: lots 8 and 30 do not fit the ratio.**

The TRC discussed the above-noted waivers and concluded that each waiver is specific to this site and the proposed site design. The TRC feels that the waiver for the length of cul de sac is appropriate. The TRC did a quick calculation and determined that if the roadway was

constructed at the standard 900' and the property did not have any physical constraints to development, the applicant would be allowed to develop 12 house lots. However, due to the physical constraints to development, the site and the proposed 1400' long roadway can only support 14 house lots. This represents only two house lots more than what would be allowed on a site with a 900' roadway and no development constraints. The Albion Fire District submitted a letter dated May 29, 2007 stating that they find no objections with any public safety issues for the proposed length of roadway.

The TRC discussed the two requested waivers from the length to width ratio. A suggestion came out of this discussion that these two lots can be reconfigured to meet that standard and the remaining land area be donated to the Town as open space. These two areas directly abut the Handy Pond Preserve area. The TRC also feels that the presented configuration of Lots 9 and 10 should extend to the existing boundary line. This would create two lots with greater than the standard 2 ½ to 1 lot length to width ratio, however, the TRC feels that this would make for better lot configurations.

This project is in front of the Planning Board for a public informational meeting. The TRC recommends that the applicant addresses the above noted concerns and any concerns presented at the public informational meeting and return to the next Planning Board meeting for further review.

b. Sables Road Subdivision – Phase 1 AP 44 Lot 33 Preliminary Plan

Extension

- Leslie W. Sables Angell and Whipple Road

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into 17 single-family residential lots. The project is proposed to be reviewed in two phases. Phase one represents the development of 9 single-family residential lots and one new cul-de-sac. Phase two presents the development of 8 single-family residential lots. On June 26, 2006, the Preliminary Plan was approved with conditions. As presented in the application for time extension, the applicant has been diligently working to finalize required documents. The applicant is requesting a one year extension until July 27, 2008 to complete the project. The TRC has reviewed the application and recommends approval of this request.

Minor Subdivision Review

a. Morris Minor Subdivision AP 41 Lots 10 and 11 Preliminary Plan Discussion /

- Matthew L. and Raymond E. Morris Albion Road Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of two lots into three residential lots. All lots are accessed from an existing road. The proposed project is classified as a Minor Subdivision. On April 9, 2007, the Preliminary Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations – Section

14(G), “if no street creation or extension is required, the Planning Board shall approve, deny, or approve with conditions, the preliminary plan within sixty five (65) days of certification of completeness, or within such further time as is agreed to by the applicant and the Board, according to the requirements of Section 8 herein. Therefore, a decision on the Preliminary Plan review must be made by June 13, 2007, or within such further time as may be consented to by the applicant. The applicant has agreed in writing to a time extension to July 25, 2007, for the Planning Board to complete their review.

The Technical Review Committee and the Engineering Division have reviewed the above-proposed subdivision according to the 2005 Land Development and Subdivision Regulations preliminary plan submission standards and requirements and standard engineering practices. The submission includes a plan entitled “Minor Subdivision Plan”, AP 41 Lots 10 & 11, Albion Road in Lincoln, Rhode Island, prepared for Matthew L. & Raymond E. Morris by Baron Engineering, Ltd., revision date May 23, 2007.

Site Plan

For any new bounds, granite, not iron pipe, must be installed at the outer subdivision corners. The Town solicitor must review the easement for the private sewer connections prior to recording. The location of the driveway for the proposed new house lot must be approved by RIDOT through a Physical Alteration Permit as a condition of this subdivision approval. There appears to be adequate

buildable area for each of the lots. Existing wells and septic disposal systems on the properties or within 200 feet on abutting lots have been shown.

Wetlands

Wetlands have been shown on the plan. It appears that the wetlands are outside of any areas of disturbance, so a permit or a letter of non-jurisdiction from RIDEM Wetlands is not required. Per the Town ordinance a sedimentation and erosion control plan must be submitted and approved before any construction or earth disturbance is performed on site.

Utilities

The new lot is to be connected to public water as shown. The applicants propose to connect to the gravity sewer service lateral installed for lot 10 for the proposed house lot and the existing house. The private lines are proposed to be located within a private 20 foot wide easement alongside Albion Road. These sewers would not be a part of the Town's sewer system. The applicant must obtain a permit from Narragansett Bay Commission for any proposed new sewer discharges.

Based on the revised Preliminary Plans, the TRC recommends Approval with Conditions. Below are the following conditions of approval:

1. Granite bounds must be installed and shown on the final recorded

- plans marking the location of all new property corners of the new lot.
2. The sewer easement documents must be reviewed and approved by the Town Solicitor
 3. The applicant must receive a RIDOT Physical Alternation Permit for the new driveway
 4. The applicant must obtain a permit from Narragansett Bay Commission for any proposed new sewer discharges.

b. Rosa Minor Subdivision AP 16 Lot 10 Preliminary Plan Discussion /

- Lori A. Rosa Westwood Road Approval

This application is under the 2005 Subdivision Regulations and represents the subdivision of one lot into three residential lots. All lots are accessed from existing roadways. The proposed project is classified as a Minor Subdivision. On June 7, 2007, the Preliminary Plan submittal for the above noted project received a Certificate of Completeness. According to our Subdivision Regulations – Section 14(G), “if no street creation or extension is required, the Planning Board shall approve, deny, or approve with conditions, the preliminary plan within sixty five (65) days of certification of completeness, or within such further time as is agreed to by the applicant and the Board, according to the requirements of Section 8

herein. Therefore, a decision on the Preliminary Plan review must be made by August 11, 2007, or within such further time as may be consented to by the applicant.

The Technical Review Committee and the Engineering Division has reviewed the above proposed subdivision according to the Land Development and Subdivision Regulations preliminary plan submission standards and requirements and standard engineering practices. The submission includes a two plan set entitled "Preliminary Minor Subdivision" AP16 Lot 10, Westwood Road and Carriage Drive in Lincoln, Rhode Island, prepared for Gary and Lori Rosa by Marsh Surveying Inc., dated April 5, 2007. Below are the TRC recommendations for this project.

Groundwater/ Drainage/ Wetlands

No wetlands appear to be present on the property. However the area may be subject to levels of high seasonal groundwater. The plans have the following note: no finished floors or basements shall be constructed at or below the seasonal high groundwater. The plan also shows proposed locations for dry wells to be installed. As noted on the plans, the builder must provide a detail or cut-sheet of the dry wells for review at the time that a building permit application is filed. Per the Town ordinance, a sedimentation and erosion control plan must be submitted and approved before any construction or earth disturbance is performed on site. Any unused wells on site must be closed according to the appropriate RIDEM regulations, as noted on the plans.

Utilities

The proposed lots are shown to be connected to public sewers with individual connections to the sanitary sewers. The sewer supervisor confirmed that public sewers are available. The applicant must obtain a permit from Narragansett Bay Commission for sewer discharge for each new house at or before the issuing of a building permit. The applicant received approval for water service to the proposed lots from the Lincoln Water Commission in a letter dated May 31, 2006. Please note that such approvals are only valid for one year.

Site plan

The location of the one new proposed curb cut for the driveway for the new house on Carriage Drive is acceptable.

Record plan

Granite bounds must be shown marking the location of the outer corners of the property. Only the outer corners of the property need to have bounds.

Based on the submission, the Technical Review Committee recommends Approval with Conditions. Below are the recommended conditions of approval.

1. The applicant must obtain a permit from Narragansett Bay Commission for sewer discharge for each new house at or before the

issuing of a building permit.

2. Granite bounds must be shown marking the location of the outer corners of the property. Only the outer corners of the property need to have bounds.

3. A sedimentation and erosion control plan must be submitted and approved before any construction or earth disturbance is performed on site.

Zoning Applications (*) – July Zoning Applications

JCM, LLC, 3434 Mendon Road, Cumberland, RI – Application for Dimensional Variance seeking lot width relief for the purpose of subdividing property located at Jenckes Hill Road, Lincoln, RI.

AP 26, AP 2 Zoned: RA-40

Currently, there are no submitted subdivision plans for review by the Planning Board. Therefore, the request for a dimensional variance is premature. No recommendation is offered.

Sean F. Gorman, 90 Angell Road, Lincoln, RI – Dimensional Variance seeking relief on the north side property line for the construction of an addition.

AP 43, Lot 9 Zoned: RS 20/RA 40

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of this application. The Technical Review Committee feels that the proposed design and layout of the existing single family limits the owners to the area in which they can locate an addition. The Technical Review Committee finds that the applicant presents a realistic site layout that meets the intent of the zoning and would not be detrimental to the neighborhood.

Quinnville Fire Department, 861 Lower River Road, Lincoln, RI – Special Use Permit to expand existing fire station.

AP 29, Lot 85 Zoned: RA 40

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of the Special Use Permit for the expansion of the existing fire station. The application requests a 20' x 50' addition to house fire apparatus. The site plans specifically details the limitations of the building envelope to accommodate a different location for the proposed addition. The TRC feels that due to the unique nature of the building's use and more specifically the limiting building envelope, the applicant presents a realistic site layout that meets the intent of the zoning and would not be detrimental to the neighborhood.

Quinnville Fire Department, 861 Lower River Road, Lincoln, RI – Dimensional Variance seeking front and rear yard relief for the construction of an addition.

AP 29, Lot 85 Zoned: RA 40

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of this application. The Technical Review Committee feels that the proposed design and layout of the existing fire station and the configuration of the existing lot limits the owners to the area in which they can locate the proposed addition. The Technical Review Committee finds that the applicant presents a realistic site layout that meets the intent of the zoning and would not be detrimental to the neighborhood.

Eparchy of St. Maron of Brooklyn, NY, 5 Main Street, Pawtucket, RI – Special Use Permit to construct a church and maintain existing building as an accessory use for property located at 171 Twin River Road, Lincoln, RI.

AP 45, Lot 361 Zoned: RA 40

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of the Special Use Permit for the construction of a church and maintenance of the existing building as an accessory use for this property. The current property is

approximately 8 forested acres. The site plans and application specifically details the proposed location of the church and its parking as well of the proposed extensive evergreen buffering along the southern side of the property. The church is proposed to be located 387 feet into the property. The TRC feels that due to the large size of the property, the proposed evergreen buffer and the unique nature of the building's use, the applicant presents a realistic and thoughtful site layout that meets the intent of the zoning and would not be detrimental to the neighborhood.

A.F. Homes, LLC, P.O. Box 2312, Pawtucket, RI/3J Corporation, 90 Industrial Circle, Lincoln, RI – Dimensional Variance seeking rear and side yard setbacks for the construction of 48 residential condominium units under Article III, Section of the zoning code.

AP 2, Lot 82 Zoned: MG 0.5

Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The proposed dimensional variances are to clear up the pre-existing nonconformance of this parcel of land. This lot and existing buildings were platted and developed before present-day zoning regulations. Members of the Technical Review Committee visited the site and reviewed the submitted plans and application. The Technical Review Committee recommends Approval of this application. The Technical Review Committee finds that the relief requested will not alter the general character of the surrounding area or impair the

intent or purpose of the Lincoln Zoning Ordinance or the Lincoln Comprehensive Plan.

Correspondence/Miscellaneous (*)

**1. Cottage Street AP 9 Lots 164 and 203 Administrative Subdivision
Approved**

This represents an administrative subdivision of property lines. This subdivision was recorded on June 7, 2007.

2. Great Road Estates AP29 Lot 2 Remediation Bond Approval

This represented the establishment and approval of a remediation bond for the above noted major subdivision. The approval of the bond was delegated to the Administrative Officer of the Planning Board as part of the Preliminary Plan approval.